

CIVIL DOCKET
UNITED STATES DISTRICT COURT

BARROW
Jury demand date:

72-C-430

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS				
KENNEDY MOBILE HOMES, INC., Plaintiff, vs. LANCER HOMES, INC. Defendant		For plaintiff: Lloyd G. Larkin & Frederick L. Boss, Jr. 3747 South Harvard 203 Pythian Bldg. Tulsa, Oklahoma 74119 1947-8094 747-2094 For defendant: Phillips Breckinridge 1700 Fourth National Bank Bldg. Tulsa, Oklahoma 74119 572-1115				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 12-1-72	Clerk	11-22-72	Breckinridge	15.00		
		11-30-72	C.D.No.24		15 00	
J.S. 6 mailed 4-1-75	Marshal					
Basis of Action: cancellation & revoke to sale mobile homes	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
11-22-72	Petition of Removal from Dist. Court of Tulsa County, filed. r	
11-22-72	Bond on Removal. (Travelers Indemnity Co., Surety), filed. r	
11-22-72	Notice, filed. r	
11-22-72	Proof of filing, filed. r	
12-5-72	Special appearance, plea to the jurisdiction and motion to dismiss, filed. ds	
12-5-72	Brief in support of defendants, plea and motion to dismiss, filed. ds	
12-5-72	Ordered by the Court that plaintiff respond to defendants motion to dismiss and plea to jurisdiction, within ten days of this date. (AEB-J) ds	
12-7-72	Memorandum in Opposition to Deft.'s Special Appearance, Plea to the Jurisdiction and Motion to Dismiss, filed. v	
3-8-73	Affidavit of Ed Fry, Sr., filed. v	
6-18-73	Order, filed, overruling Deft.'s Motion to Dismiss. Further ordered that Deft. shall respond to complaint within ten days from this date. (AEB-J)v -copies mailed.	
6-28-73	Application of deft. for order extending time to answer, filed. hm	
6-28-73	Order, filed, granting deft. until 7-13-73 to answer. (JCS-Clk)hm (copies mailed)	
7-13-73	Answer, of def., filed. rm	
8-3-73	Ordered by the Court that parties are directed to hold pretrial conference by 9-7-73, and file pretrial order not later than 9-14-73. (AEB-J)v	
9-4-73	Appl. of pltf. for ext. of time to comply with PT Order, filed. rm	
19-10-73	Order ext. time to file pre-trial order to 10-9-73, filed. (AEB-J)g	
10-10-73	Appl. to enlarge time within which to comply with pre-trial order, filed. v -atty. took order to Judge.	
10-15-73	Order filed that the time to complete pre-trial be extended to Oct. 23, 1973. (AEB-J)h	
11-23-73	Pre-trial order, filed. (AEB-J)hm	
12-11-73	Minute Order: It is ordered that this case is set for non-jury trial on Monday, 1-21-74 at 10:00 A.M. (AEB-J)e	
1-4-74	^{Deft.} Motion for S/J, filed. jj	
1-4-74	Brief in Support of Mtn. for S/J, filed. jj	
1-7-74	Minute Order: It is ordered that this case which was set for Non-Jury for 1-21-74 be stricken from the non-jury docket (AEB-J). js	
1-28-74	Minute Order: It is ordered by the Court that Pltf. is granted 10 days from this date to respond to deft.s Mtn. for S/J. (AEB-J)jj	

PT 8-11-73
To J
11-21-73

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
2-7-74	Pltf's application to enlarge time to file response, filed. g	
2-8-74	Order, filed, that Deft. have until 2-18-74 to file response to Pltf's Mot. for S/J. (AEB-J)v -copies mailed.	
2-8-74	Notice to take oral deposition by Plaintiff of Paul Savage at 10:00 A.M. on the 14th of February, 1974, Tulsa. ss Subpoenas issued. (to 2-25-74)	
2-19-74	Pltf's Appl. to Enlarge Time Within Which to File Response, filed. e	to Judge
2-20-74	Depositions of Ben B. Woody and Ed Fry, on behalf of the plaintiff, filed. (Fees: \$94.50 PD BY PLAINTIFF) S	
2-20-74	Depositions of Lloyd Kennedy and Arthur E. McCoy, on behalf of the Deft. filed. (Fees \$237 Pd by Deft., Lancer Homes, Inc.)s	
2-22-74	Order, filed, granting def. to 2/25/74 to respond to plf. mo/SJ. (AEB-J)rm	
3-20-74	Reply to Pltf's Response to Deft's Mtn. for S/J, filed. jj	
3-27-74	Plaintiff's application for permission to file response and supplementary brief, out of time, filed. ds	
3-27-74	Order, filed, that Pltf. be granted permission to file response to Deft's Mot. for S/J out of time. (AEB-J)v	
3-27-74	Response of Pltf. to Deft's Mot. for S/J, filed. v	
3-27-74	Supp. Brief in support of Response, filed. v	
6-12-74	Order overruling defendant's Motion for Summary Judgment (AEB-J), filed. LM Copies mailed.	
7-12-74	Reply Brief of deft. to response of pltf to its orig. brief in support of its mtn. for s/j, filed. jj	
7-25-74	Dep. of Paul Savage taken 2-15-74 before Millie Ballard LSR in Tulsa, filed. jj	
7-25-74	Motion to reconsider & Memorandum in support of mot. filed by def. k	
7-25-74	MO: It is ordered by the Court that Pltf. is granted ten (10) days from this date to respond to Def. Lancer Homes, Inc.'s Motion to Reconsider. (AEB-J)k copies mailed. k	
8-6-74	Pltf's. Response to Deft's Mtn. to Reconsider, filed w/ Order granting to file out of time. (AEB-J)jj	
2-18-75	MO: It is ordered by the Court that the Defendat's Motion to Reconsider be and the same is hereby overruled. (AEB-J)k cps mld	
2-20-75	Case set for non-jury trial on 3-17-75, at 9:30 A.M. (AEB-J)b nts mld	
3-17-75	Case called for non-jury trial. Pltf. present & represented. Deft. present & represented. Parties announce ready. Parties make opening statements. Pltf. presents case, witnesses sworn & testify. 4:00 P.M., Ct. recessed for day, to reconvene 3-18-75, 10:00 AM.	

CONTINUED

DATE	PROCEEDINGS	Date Order or Judgment Note
Cont'd	3-18-75, 11:30 A.M., Ct. reconvenes. Pltf's witnesses continue testifying. 2:40 P.M., Parties announce settlement of \$1,500.00 plus up to \$200 on costs, for Pltf. Pltf. to prepare settlement papers in 3 days. Parties withdraw exhibits.(AEB-J)b	
3-21-75	MO: ORDERED BY THE COURT that Parties are granted an extension of time to submit settlement papers until Wednesday, March 26, 1975. (AEB-J)v <i>HE. m'd. 3-24-75</i>	
3-27-75	Joint MOTION for Dismissal with Prejudice, filed. lm <i>see book clog</i>	
3-28-75	Order of dismissal with prejudice, filed & entered. (AEB-J)g	